ENTERED

November 08, 2019 David J. Bradley, Clerk

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

NOVUM ENERGY TRADING INC.,	§	
	§	
	8	
Plaintiff,	8	
	8	
	8	
	8	
VS.	§	Civil Action No. 4:19-cv-04402
	§	IN ADMIRALTY, F.R.C.P. 9(h), and
	§	Rule C
M/V BOUCHARD AND B. NO. 240,	§	
AND THEIR ENGINES,	§	
TACKLES, ETC., IN REM; AND	§	
BOUCHARD TRANSPORTATION	§	
CO., INC.; IN PERSONAM	§	
	§	
	§	
Defendants.	§	

ORDER APPOINTING SUBSTITUTE CUSTODIAN

ORDERED that the United States Marshal for the Southern District of Texas shall surrender possession of the U.S. flag barge "B No. 240", IMO 8646848, and the U.S. flag tug "M/V Bouchard", IMO 9053141 (collectively, the "Vessel") to National Maritime Services, at 1560 Sawgrass Corporate Parkway, fort Lauderdale, Florida 33323, as the substitute custodian, and that upon such surrender the U.S Marshal shall be discharged from duties and responsibilities for the safekeeping of theVessel and held harmless from any and all claims arising out of the substituted possession and safekeeping.

IT IS FURTHER ORDERED that National Maritime Services be, and is hereby, appointed the custodian of the Vessel to retain them in its custody for possession and safekeeping at the daily rate of \$926.37 until further Order of the Court.

IT IS FURTHER ORDERED that all United States Marshal's costs be paid prior to release of the Vessel; and all further custodial costs incurred by National Maritime Services as substitute custodian shall be *custodia legis* expenses.

IT IS FURTHER ORDERED that Plaintiff's attorney will send a copy of this Order to the last known address of the owner of the Vessel.

SIGNED on November 8, 2019, at Houston, Texas

United States District Judge

APPROVED AND ENTRY REQUESTED:

FOLEY GARDERE FOLEY & LARDNER LLP

By: /s/ Anacarolina Estaba

Peter A. McLauchlan

State Bar No. 13740900

Federal Bar No. 6370

pmclauchlan@foley.com

Anacarolina Estaba

State Bar No. 24085298

Federal Bar No. 964979

aestaba@foley.com

1000 Louisiana, Suite 2000

Houston, Texas 77002-2099

Telephone: (713) 276-5500

Facsimile: (713) 276-5555

ATTORNEYS FOR PLAINTIFF, NOVUM ENERGY TRADING INC.